

87051180

SAN JOAQUIN COUNTY  
RECORDER'S OFFICE  
YVONNE I. UDALL

RECEIVED

87 JUN -8 AM 10: 52

637 JUN 22 AM 10:00

RECORDED AT REQUEST OF

ALICE M. REINHOLD  
CITY CLERK  
CITY OF LODI

CITY SHOWN  
FEE

EXEM. 7 FROM FEE

When Recorded return to  
City Clerk  
City of Lodi  
221 West Pine Street  
Lodi, CA 95240

RESOLUTION NO. 87-44

RESOLUTION OF NECESSITY REGARDING EMINENT DOMAIN  
PURSUANT TO CODE OF CIVIL PROCEDURE SECTION 1245.220 ET SEQ.

BE IT RESOLVED by the Council of the City of Lodi as follows:

The Council of the City of Lodi finds, determines, and hereby declares:

1. That the public interest, necessity, and convenience require the acquisition, construction, and completion of a public improvement, to wit: the acquisition of a site for well 10R on and across certain real property located at 18695 North Kennison Lane, within San Joaquin County, described as a portion of County Survey No. 3348 in Section 5, Township 3 North, Range 7 East, Mount Diablo Base and Meridian.

2. That the real property hereinafter described is suitable, adaptable, necessary, and required for the public use of said City of Lodi, as hereinabove set forth.

3. The proposed project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury.

4. That the City of Lodi acquire the hereinafter described real property for a well site for well 10R by donation, purchase, or by condemnation in accordance with the provisions of the Code of Civil Procedure of the State of California relating to eminent domain. That the City Attorney is hereby authorized to prosecute in the name of the City of Lodi, any and all actions or proceedings required to acquire the necessary property and/or to fix the compensation to be paid for property damage resulting from the construction and maintenance of said improvements; and in the absence of a satisfactory price agreement with the owner of the land, the City Attorney is hereby directed to immediately commence proceedings under Title Seven, Chapter Three of the Code of Civil Procedure of the State of California, to condemn the property hereinafter described for the purpose of taking said land for the public use of said City as hereinabove set forth.

5. To make application to a Court of competent jurisdiction for an order fixing the amount of such security in the way of money deposits as said Court may direct, and for an order permitting said City of Lodi to take immediate possession and use of said property, or interest in real property, or existing improvements for the public use as hereinabove set forth; to make deposit of such security or monies in such amount so fixed and determined and in such manner as said Court in which said condemnation proceedings are pending may direct.

87-44

6. The real property or interest in real property which the City of Lodi is by this Resolution authorized to acquire for said public improvements is situated in the County of San Joaquin, State of California, and is more particularly described in Exhibit "A", attached hereto and incorporated herein by reference.

7. Pursuant to Government Code Section 7267.2, a written offer was made to the owners of record in the amount of \$2740.00.

DATED: April 1, 1987

I hereby certify that Resolution No. 87-44 was passed and adopted by the City Council of the City of Lodi in a regular meeting held April 1, 1987 by the following vote:

Ayes: Council Members - Hinchman, Olson, Snider and Reid (Mayor)

Noes: Council Members - Pinkerton

Absent: Council Members - None


  
Alice M. Reimche  
City Clerk

Exhibit "A"

That certain real property in the County of San Joaquin, State of California, described as follows:

A portion of the Northwest Quarter of Section 5, Township 3 North, Range 7 East, Mount Diablo Base and Meridian being more particularly described as follows:

Commencing at the Northwest corner of said Section 5; thence South, 880.61 feet; thence easterly 50 feet to a point being the Southwest corner of the Johnson property as described in the deed filed in Book 2594 of Official Records, Page 245, San Joaquin County Records and the Northwest corner of the Ramm Ranches property as described in Recorder's Instrument No. 82019868, San Joaquin County Records, also being the True Point of Beginning; thence South along the East line of the Central California Traction property 60.0 feet; thence easterly parallel to the line common to the Johnson and Ramm Ranch properties above described, 60.0 feet; thence North, 60.0 feet; thence westerly, along the line common to the Johnson and Ramm Ranch properties, 60.0 feet to the True Point of Beginning.

Reserving an easement for maintenance and access more particularly described as: Beginning at the True Point of Beginning above described; thence easterly along the line common to the Johnson and Ramm Ranch properties, 60.0 feet; thence South, 5.0 feet; thence westerly, 60.0 feet; thence North, 5.0 feet; to the point of beginning.

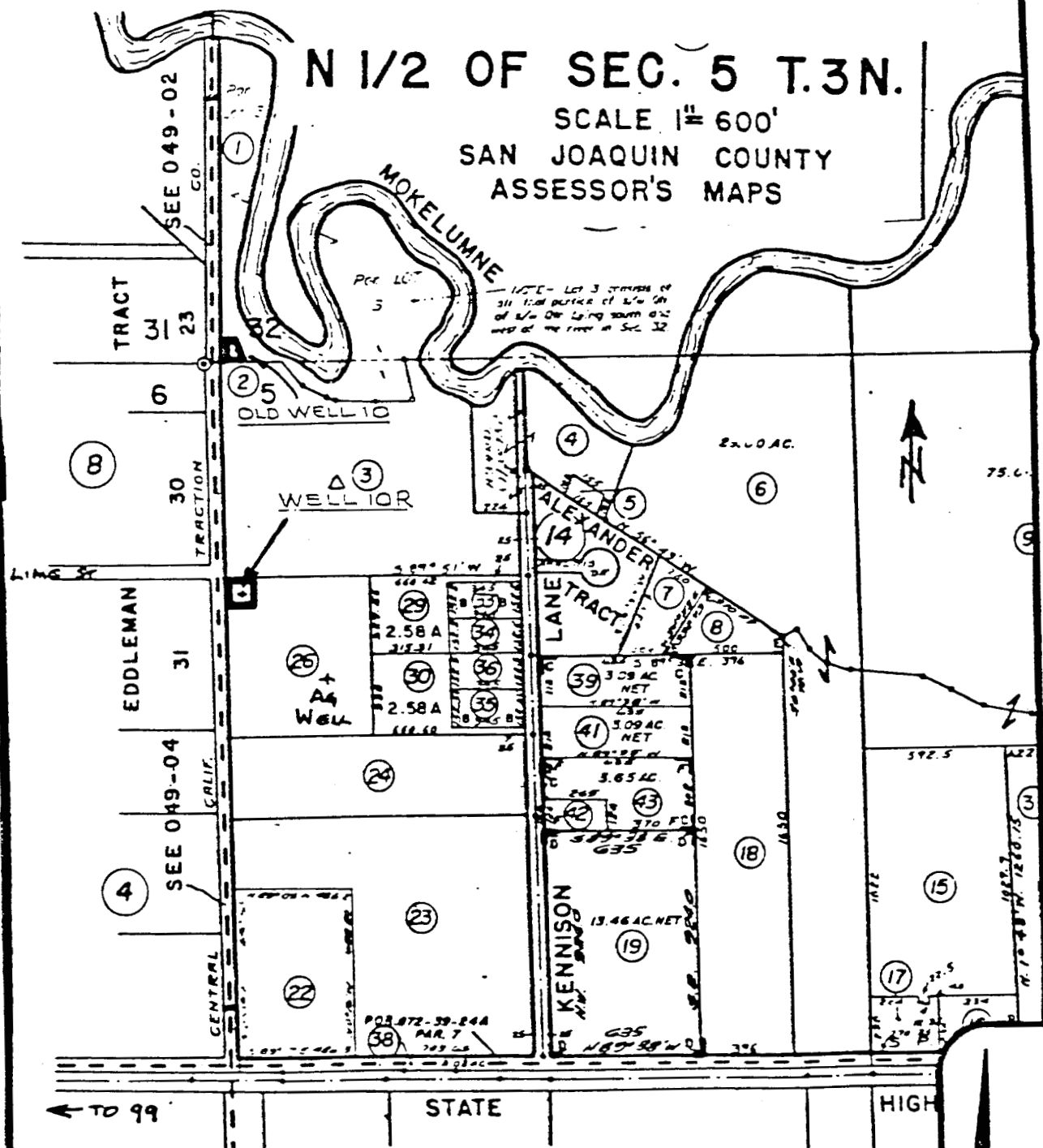
Also an easement to exclude the construction of any sanitary sewer facilities within 100 feet of the following described radius point: Commencing at the True Point of Beginning of the above described; thence South, 50.0 feet; thence easterly, parallel to the line common to the Johnson and Ramm Ranch properties above described 50.0 feet to the said radius point.

Exhibit A

N 1/2 OF SEC. 5 T.3N.

SCALE 1" = 600'

SAN JOAQUIN COUNTY  
ASSESSOR'S MAPS



# VICINITY MAP